

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA)	CR. NO.: 0:19-420-JFA
)	
v.)	ORDER
)	
JOHNNY RICARDO NEAL, JR.)	
)	

The defendant, through counsel, has moved for a delay of his reporting date for service of his federal custodial sentence. He is currently scheduled to report to the Federal Bureau of Prisons any time, on or after September 1, 2022.

The defendant's Family Nurse Practitioner (FNP) has written a letter, attached to the defendant's motion, indicating that the defendant was recently evaluated on August 16, 2022 for treatment/management of diabetes, HTN (hypertension or high blood pressure), and dyslipidemia (imbalance of cholesterol). The FNP, Ricardo Leao, suggests that the defendant's diabetes and cholesterol are not controlled and need more aggressive treatment and close monitoring. In addition, the FNP reports that the defendant's blood sugar is running three times greater than normal and the defendant is in need of insulin therapy with injectables. The defendant started this new regimen on August 16, 2022. The FNP opines that the defendant will need at least three months of intense regimen to get his levels under control.

By way of background, after a jury found the defendant guilty on all but one of the charged counts, the defendant was sentenced by Judge J. Michelle Childs on July 12, 2022

to a term of 46 months imprisonment.¹ The defendant has been on bond since his indictment in May of 2019.

The Presentence Report (PSR) (ECF Nos. 301, 345) was prepared and filed in December 2021. In the PSR, it is noted that the defendant stands 6'5" and weights 270 pounds. Therein, the defendant indicated that he is a borderline diabetic, he suffers from high blood pressure, and takes prescription medications for both conditions. The defendant reported no further physical health conditions or disorders. (ECF No. 345 at 41). The defendant also reported that he was diagnosed with depression when he was a child, but he no longer receives treatment for this disorder. He reported that he started receiving treatment from a counselor when he was informed of his criminal charges to help him with his undiagnosed depression and anxiety.

The defendant also reported that for approximately one year, he has served as the owner and operator of a logistics company in Lancaster, South Carolina. Prior to that, he was last employed as a Lieutenant over the narcotics division with the Chester County Sheriff's Office for 11 years before he was terminated for conduct related to the instant offense of conviction.

After careful consideration, the court is constrained to deny the motion (ECF No. 360). The defendant has been on bond since May of 2019. He reported to the U.S. Probation Office who prepared the PSR that he takes prescription medicines for his high blood pressure

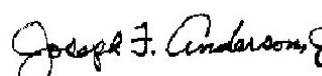
¹ This post-judgment motion was reassigned to this court after Judge Childs was elevated to the D.C. Circuit Court of Appeals.

and cholesterol imbalances. These statements were made prior to his evaluation with the FNP on August 16, 2022. He has also sought counseling for his undiagnosed anxiety and depression.

The Federal Bureau of Prisons is equipped with licensed and credentialed health care providers who administer essential medical, dental and mental health services to their inmates on various care levels. After arrival at the designated facility, the defendant's medical history and provisional care level will be carefully reviewed and addressed by the BOP medical clinicians. Until then, the defendant shall self report for service as directed by the Bureau of Prisons.

IT IS SO ORDERED.

September 7, 2022
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge